

Bryan K. Benard, 9023
HOLLAND & HART LLP
60 E. South Temple, Suite 2000
Salt Lake City, Utah 84111-1031
Telephone (801) 799-5800
Facsimile (801) 799-5700

*Attorneys for Defendant, Cross-Complainant
and Third-Party Plaintiff
Great-West Life and Annuity Ins. Co.*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNIVERSITY OF UTAH, UNIVERSITY)	STIPULATED MOTION FOR LEAVE TO
HEALTHCARE,)	AMEND THIRD PARTY COMPLAINT OF
)	GREAT-WEST LIFE AND ANNUITY
Plaintiff,)	INSURANCE COMPANY
)	
v.)	Civil No. 2:09-cv-37
)	
CABINETEC, INC., a Nevada Corporation,)	Judge: Clark Waddoups
CABINETEC HEALTH AND DENTAL)	
PLAN, an ERISA governed health plan, and)	
GREAT-WEST LIFE AND ANNUITY)	
INSURANCE COMPANY, a Colorado)	
corporation)	
)	
Defendants.)	
)	
)	
GREAT-WEST LIFE AND ANNUITY)	
INSURANCE COMPANY, a Colorado)	
corporation,)	
)	
Cross-Complainant and Third Party)	
Plaintiff,)	
)	
v.)	
)	
CABINETEC, INC., a Nevada Corporation,)	

and CABINETEC HEALTH AND)
DENTAL PLAN, an ERISA governed)
health plan,)
)
Cross-Complaint Defendants,)
)
and)
)
UNITED RESOURCE NETWORKS, a)
Delaware corporation, and)
OPTUMHEALTH, INC., a Delaware)
corporation,)
)
Third-Party Defendants.)
)
)

Pursuant to Rule 15(a) the parties hereto, through their respective counsel of record, stipulate and jointly move the Court to grant leave to Defendant, Cross-Complainant and Third-Party Plaintiff Great-West Life and Annuity Insurance Company (“Great-West”) to amend its Third-Party Complaint to correctly designate the proper third-party defendant. The Third-Party Complaint named United Resource Networks and OptumHealth, Inc. as third-party defendants. In discussion with counsel, the proper third-party defendant is United Resource Networks, a division of United HealthCare Services, Inc.

It is stipulated by the undersigned parties that Great-West may amend its Third-Party Complaint to correct the party names. No other pleadings are to be affected.

This motion is supported by good cause as the proposed amendment will bring the proper parties before the Court and will expedite the matter. As neither United Resource Networks nor OptumHealth, Inc. have filed a responsive pleading, and in light of the parties’ stipulation, this Court may, and should, grant this stipulated motion.

Dated: September 23, 2009

/S/ Bryan K. Benard
Bryan K. Benard
Holland & Hart LLP
Attorneys for Defendant, Cross-Complainant and
Third-Party Plaintiff Great-West Life and
Annuity Insurance Company

/S/ Julie Ewing
Julie Ewing
Utah Assistant Attorney General
Attorney for Plaintiff

/S/ Lewis R. Reece
Lewis R. Reece
Snow Jensen & Reece
Attorneys for Defendant CabineTec

/S/ Scott A. Hagen
Scott A. Hagan
Ray Quinney & Nebeker
Attorneys for Third-Party Defendants

CERTIFICATE OF SERVICE

I hereby certify that on 9/23/2009, I electronically filed the foregoing with the Clerk of Court using CM/ECF system which will send notification of such filing to the following e-mail addresses:

Julie K. Ewing
julieewing@utah.gov

Brent C. McDonald
bmcdonald@snowjensen.com,brentm77@gmail.com

Lewis P. Reece
lreece@snowjensen.com,bsevernak@snowjensen.com

Scott A. Hagen
shagen@rqn.com,dvandenakker@rqn.com,docket@rqn.com

s/ Bryan K. Benard
HOLLAND & HART LLP
60 E. South Temple, Suite 2000
Salt Lake City, Utah 84111-1031
Phone: (801) 595-7833
Fax: (801) 364-9124
bbenard@hollandhart.com

**ATTORNEYS FOR DEFENDANT, CROSS-
COMPLAINANT AND THIRD-PARTY PLAINTIFF**